



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1630/2330

In re application of:

Tassie Collins, et al.

Application No.: 09/975,566

Filed: October 11, 2001

For: MODULATION OF CCR4  
FUNCTION

Examiner: Laura L. Stockton

Art Unit: 1626

RESPONSE TO RESTRICTION  
REQUIREMENT

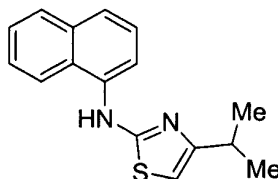
#10  
VLP  
3-28-03

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed December 18, 2002, Applicants elect to prosecute Group II, claims 37-49, 52-79, 81 and 82, drawn to products, classified in classes 544, 546, 548 etc. Applicants' election is made with traverse, believing that search of the remaining claims would not provide an undue burden on the Office.

Additionally, Applicants elect the following species: Compound 12 identified in Example 12, page 41 and having the structure,



12

for the purpose of a search.

The elected species corresponds to a compound for formula I (see claim 52) in which W is unsubstituted naphthyl, X is S, Y is NH, Z is N, R<sup>1</sup> is (C<sub>1</sub>-C<sub>8</sub>)alkyl and

R<sup>2</sup> is H. Claims readable on the elected species are claims 37, 38, 40-43, 46-48, 52-58, 60, 62, 64, 66-71, 73, 75, 79 and 81.

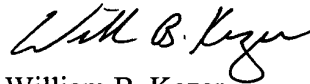
To facilitate prosecution of the present application, Applicants submit herewith a Preliminary Amendment to provide claims focused on the elected species. Any amendments or cancellation of claims are made without prejudice toward pursuing the canceled or removed subject matter in a later-filed continuation of divisional application.

### **CONCLUSION**

In view of the foregoing, Applicants believe all claims are in condition for substantive review on the merits.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5015.

Respectfully submitted,



William B. Kezer  
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TECH CENTER 1600/2900

Attorney Docket No.: 018781-008600US  
Client Ref. No.: T01-010

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

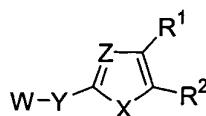
Sir:

Further to the Response to Restriction Requirement submitted herewith,  
Applicants respectfully request entry of the following amendments, prior to examination  
of the above-referenced application.

IN THE CLAIMS:

✓  
Please cancel claims 1-84 and add new claims 85-98.

85. (new) A compound of formula (I):



I

or a pharmaceutically acceptable salt thereof, wherein